

ORDINANCE NO. 06-2004

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 13, SECTION 13-36(116) OF THE TOWN CODE TO REPEAL LICENSING FEES FOR ICE VENDING MACHINES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida (Town) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town of Lake Park Commission has the authority to and has enacted occupational license fees; and

WHEREAS, pursuant to Ordinance No. 3-2000, the Town Commission enacted a provision, which was codified into the Town Code at Chapter 13, Section 13-36, authorizing the assessment of license fees for various businesses within the Town of Lake Park; and

WHEREAS, it has come to the attention of the Town Commission that the Code contains a provision imposing a license fee for "ice vending machines" which are devices that do not meet the usual and customary definition of vending machines, and for which a fee should not be imposed; and

WHEREAS, the Town Commission has determined that is necessary to amend Chapter 13, Section 13-36(116), to repeal the provision imposing a licensee fee on ice vending machines in the Town Code.

NOW, THEREFORE, be it ordained by the Town Commission of the Town of Lake Park, Florida that:

Section 1. The Town Commission hereby amends Section 13-36(116) of the Town Code as follows:

~~Sec. 13-36(116) IC040 ICE VENDING MACHINES. Coin-operated or otherwise, inside or outside another business, license tags, per machine9.00.~~

Section 2. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 3. Codification. The Sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word "Ordinance" may be changed to "section," "article," or any other appropriate word.

Section 4. Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. Effective Date. This Ordinance shall take effect immediately upon adoption by the Town Commission.

Upon First Reading this February 4th day of February, 2004 the foregoing ORDINANCE was offered by Commissioner ~~Garretson~~ who moved its approval. The motion was seconded by Commissioner ~~Otterson~~, and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR PAUL CASTRO	X	
VICE MAYOR CHUCK BALIUS	X	
COMMISSIONER PAUL GARRETSON	X	
COMMISSIONER JEANINE LONGTIN	X	
COMMISSIONER BILL OTTERSON	X	

Upon Second Reading this 18th day of February, 2004 the foregoing ORDINANCE was offered by Commissioner Longtin who moved its adoption. The motion was seconded by Commissioner Garretson, and being put to a vote, the result was as follows:


	AYE	NAY
MAYOR PAUL CASTRO	X	
VICE MAYOR CHUCK BALIUS	X	
COMMISSIONER PAUL GARRETSON	X	
COMMISSIONER JEANINE LONGTIN	X	
COMMISSIONER BILL OTTERSON	X	

The Mayor thereupon declared Ordinance No.06-2004 duly passed and adopted this 18th day of February, 2004

TOWN OF LAKE PARK, FLORIDA

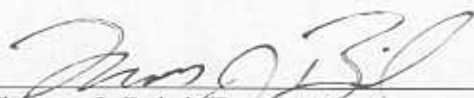
BY: 
Mayor Paul Castro

ATTEST:


Carol Simpkins, Town Clerk
(Town Seal)



Approved as to form and legal sufficiency:


Thomas J. Baird, Town Attorney